IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

APPEAL NO.50 OF 2007
IN
ARBITRATION PETITION NO.446 OF 2006

Dilip Hathibhai Udani ..Appellant.
Vs.
Sharda Jayantilal Mulji & Ors. ..Respondents.

....

Shri D.D. Madan, Senior Advocate with Shri Chirag Balsara and Ms. Aarti Jumani i/b Hemangi Modi for the Appellant.
Shri Snehal Shah and Shri Dilip Taur i/b K. Ashar & Co. for Respondent Nos.1, 2 and 3

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CORAM: **R. M. S. KHANDEPARKAR, &**
DR. D.Y. CHANDRACHUD, JJ.

7th February, 2007.

P.C. :

Heard.

The learned advocate for the Appellant on instructions craves leave to withdraw the Appeal, it being clarified by this Court that the observation in the impugned order to the effect that the parties are at liberty to pursue their claims, if any, against each other do not bestow any higher rights than those which already exist in their favour and the said observations be construed as ad idem to the order dated 26th September, 2006 by the learned

Arbitrators in the matter. The Appeal is accordingly allowed to be withdrawn with the said observations. There shall be no order as to costs.

(R. M. S. KHANDEPARKAR, J.)

(DR. D.Y. CHANDRACHUD, J.)